

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 KEITH BERRY,

8 Plaintiff,

9 v.

10 STATE OF WASHINGTON, et al.,

11 Defendants.

CASE NO. C10-5078BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

12 This matter comes before the Court on the Report and Recommendation ("R&R")
13 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 64. The Court
14 having considered the R&R and the remaining record, and no objections having been
15 filed, does hereby find and order as follows:

16 (1) The R&R is **ADOPTED**; and

17 (2) The parties' cross motions for summary judgment (Dkts. 54 & 55) are
18 **DENIED**.

19 Dated this 7th day of May, 2012.

20
21 
22

BENJAMIN H. SETTLE
United States District Judge